

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
MISSOULA DIVISION

TYLER HOBBS and ALYSSA
HOBBS,

Plaintiffs,

vs.

WELLS FARGO BANK, N.A.,

Defendant.

CV 24-73-M-DWM

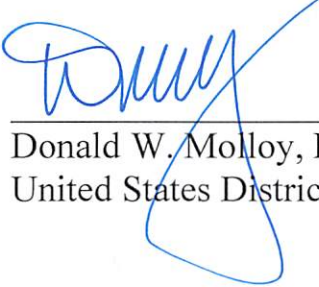
ORDER

On May 24, 2024, Plaintiffs Tyler and Alyssa Hobbs sued Wells Fargo Bank, N.A. for damages arising out of Wells Fargo's conduct vis-à-vis the refinancing of a construction loan. (Doc. 1.) On August 12, 2024, Wells Fargo moved to dismissed for failure to state a claim under Federal Rule of Civil Procedure 12(b)(6). (Doc. 7.) In response, the Hobbs filed an Amended Complaint, (Doc. 12), which the parties agree moots the pending motion, (Doc. 13). *See Koala v. Khosla*, 931 F.3d 887, 895 (9th Cir. 2019) (“[A]n amended pleading supersedes the original pleading.”).

Accordingly, IT IS ORDERED that Wells Fargo's motion to dismiss (Doc. 7) is DENIED as MOOT. Wells Fargo must answer the Amended Complaint or

once again move to dismiss by the deadline provided for in Rule 12(a). No further extensions of time will be granted.

DATED this 3rd day of September, 2024.



Donald W. Molloy, District Judge
United States District Court